Revenue Department alone, but by the Survey Department also. Only qualified subordinates carry out the survey and their work is controlled by the officers of the Survey Department or by Tahsildars, most of whom are trained in survey. Preference will be given to occupants who have made valuable improvements, but there is no rule that lands will not be assigned to those who have not made improvements thereon.]

4. Resurvey of the Shencotta taluk.

MR. AIYAVAIYAR HARIHARAKRISHNA AIYAR (*Shencotta taluk*) said that the revenue and survey authorities were of opinion that, on account of the wrong location of most of the theodolite stations in Shencotta, no substantial work in respect of land records maintenance was possible in the taluk. In the survey of *porambokes*, the owners of adjacent holdings were called upon to provide boundary marks on the sides adjoining *porambokes*. That was a source of hardship to the people inasmuch as there was not a complete survey of all holdings along with the *porambokes*. The measurements recorded in the survey and settlement records were mostly inaccurate. The landholders therefore seldom applied to the authorities for the demarcation of their holdings.

The inaccuracies in the minor circuit areas or village sites were even more serious. There were innumerable glaring discrepancies in measurements, *e. g.* in survey numbers 295, 301 and 302 of Block No. 1/94 and in survey numbers 52 and 53 of Block No. 1/96 of the Shencotta *pakuthi*. Thus, the records of measurement were of very little use to the Revenue authorities in determining the extent of holdings within the minor circuit areas.

As the case of *porambokes* was still worse, the Revenue authorities were seriously handicapped in the work of checking and detecting encroachments and in taking action against the persons making encroachments.

As the necessity for an accurate resurvey of the Shencotta town had been repeatedly brought to the notice of Government, they sanctioned the resurvey in 1915. But the orders of Government had not been given effect to. It was quite necessary that the *poramboke* lands within the municipal limits of Shencotta should be properly conserved. The work started by the Revenue authorities for the demarcation of *poramboke* lands in the town in accordance with the measurements had recorded in the Survey and Settlement records had to be dropped, as it proved to be a source of hardship to the people. Many sites whereon valuable structures had been put up several years ago were being treated as unauthorised improvements on *poramboke* lands. The funds at the disposal of the Municipal Council were too limited to admit of a resurvey, as the Council had before it more urgent and serious problems such as the water supply and town extension schemes. As the control over *poramboke* lands was vested in the Government, they might as well take up the survey of such lands. The member therefore suggested that a special staff, like the Land Records Staff or that staff

itself, might be deputed to attend to the survey and demarcation of *poramboke* lands within the minor circuit area of the Shencotta town. He also suggested that the following points might be borne in mind when the survey was being conducted :—

(i) Due regard should be had to the age of buildings, structures etc., standing on the sides.

(ii) In cases of doubtful encroachments, the occupants should be evicted only if the encroachments were wilful, serious and of short duration.

(iii) In cases of real encroachments, the occupants should be asked to give up the sites encroached upon.

(iv) All excess lands between *porambokes* and registered areas should be registered in the names of the occupants, if the lands might not be found necessary for public purposes.

(v) When survey measurements did not agree with those existing at the sites, properties should be measured as they lay, reference being made to *Ozhuku* and other records in deserving cases.

(vi) In cases where measurements were not recorded, the actual extent in the possession of the adjacent landowners and the nature and length of such possession should be taken as the deciding factors.

(vii) The mere fact that an occupant was in possession of excess area should not by itself be made a reason for depriving him of a portion of his holding.

In conclusion, the member urged the necessity for refixing the theodolite stations before the commencement of the survey by a competent staff and for a resurvey of the minor circuit area of the Shencotta town without any delay and without asking the Municipal Council to contribute a portion of the cost. If, however, Government were of opinion that it could not be done, a street survey of the *poramboke* lands within the town should be taken up.

DEWAN'S REPLY : Mr. Hariharakrishna Aiyar. A great part of your representation, particularly the first point raised by you, related to the resurvey and refixing of theodolite stones. What you said was only a repetition of what has been said by Shencotta members at previous sessions of the Assembly. The reply given was that partial surveys undertaken in different parts of the taluk will be of very little use and that it was such a big question that it could not be taken up until a general resurvey is made.

As for the municipal town, you said that the municipality had more serious matters to think about and that therefore it was not in a position to spend money upon the survey of minor circuit areas in the town. I may draw the inference from what you say that you seem to consider the matter a trivial one. If it is not such a vital thing, it seems to me that that question also must await a general resurvey.

You mentioned several other points towards the close of your representation which you said that the Government and the registering authorities must have in view in disposing of *poramboke* cases. As

a matter of fact, I may tell you, almost all these points are found in the rules which guide the authorities in disposing of *poramboke* cases. For instance, length of possession, age of a building which stands on the encroachment, the fact whether it is useful or absolutely necessary for public purposes, all these are matters which are taken into consideration before any eviction is ordered. Government note the points that you have stated.

MEMBER: The Municipality is prepared to make a contribution. In the interest of the Government and the Revenue Department the work is necessary.

DEWAN: Government will see to its interests as also to the interests of the Revenue Department. As I said, the point is that it is not a work which can be taken up piecemeal; it has to await a general resurvey which the Government will order when other circumstances necessitate the same.

5. Kandukrishi.

MR. KRISHNA PANIKKAR SANKARA PANIKKAR (*Ambalapuzha taluk, Group I*) said that there was a total extent of 15,389·75 acres of *Kandukrishi* lands in the State, the greater portion of the lands being in Kuttanad. In comparison with other kinds of land, *Kandukrishi* lands were subjected to a disproportionately higher rate of taxation. It was high time to put an end to the excessive taxation. In such matters, a Travancorean Dewan was in a better position to understand the difficulties of the ryots. The hardships of the owners of *Kandukrishi* lands had been described at length in the memorials submitted to Government and in an Address presented to Her Highness the Maha Rani Regent. The grievances should be redressed.

In regard to *Kandukrishi* lands, the rate of 24 chackrams per *para* was fixed in 1102, on the average of the previous quinquennium. Those were years of exceptionally high prices. But since then the price of paddy had steadily declined; but the next revision of rates would take place only in 1108. In the meantime, the prevailing rate would weigh heavily upon the holders of *Kandukrishi* lands who were mostly poor men. The member therefore suggested that tax might be realised at the rate of 11 chackrams per *para*, as in the case of *pattom* lands.

DEWAN'S REPLY: Mr. Sankara Panikkar. On one point alone that you have raised I should say a word or two. You said that, by a comparison of the tax that is usually, on the average, levied on *pandarapattom* lands with the tax that is levied on *Kandukrishi* lands, you could establish that *Kandukrishi* lands are heavily taxed. I should just say, on that point, that the comparison is not a reasonable one because of the fundamental difference in tenure between the two classes of lands. What in the one case is land tax is in the other case rent payable by the tenant to the landlord.